

REMARKS

The Applicants note that the Examiner has accepted their explanation of what is a plasma discharge, which is in the form of a 'network of filaments' as recited in claim 33. Nevertheless, they cannot follow the **hypothetical** assertion that the **questionable** combination of Merard and Nerone **would be potentially able** to produce a plasma discharge that **could** have the form of a "network of filaments."

First, if hypothetical combination of Merard and Nerone would have potentially been able to produce a plasma discharge that could have the form of a "network of filaments," then why did neither Nerone nor Merard give a hint that such kind of plasma is achievable. It is because such a hypothetical hybrid plasma generator obviously cannot do so.

Second, the Applicants also disagree with the "intended use" notion. Claim 33 positively recites and therefore limits the scope of a specific plasma generator generating a discharge in the form of a network of filaments. Suggesting either that the plasma generator of claim 33 also covers any kind of plasma being not in the claimed form or that any document describing a plasma generator could be able to produce such discharge simply makes no sense.

Nevertheless, in Applicants' desire to obtain a prompt notice of allowance, an amended set of claims is being submitted herewith. Thus, in view of the amended claim 19 and added claim 37, the Applicants wish to make the following comments upon the cited prior art, especially with respect to Merard. For sake of simplicity, the Applicants will consider the US publication 2004/0035838 of Merard, which is the principal reference.

Amended Claim 19 in view of Merard

First, Merard fails to disclose use of external electrodes for gripping the container to be treated by plasma. In fact, one of the goals exposed in Merard is to avoid external electrodes for

gripping the containers as clearly mentioned in paragraph [0010] of US publication of this document. Therefore, Merard not only fails to teach the use of such an external lower electrode gripping the container to be treated as claimed but gives an explicit and strong incentive not to use such configuration.

In addition, the arrangement of an external lower electrode and the generator used in the present invention surprisingly do not harm the plasma treatment as it is the case in the prior art documents cited in Merard. Further, Merard explicitly mentions several times the inside positioning of its electrodes, see for instance paragraph [0022].

Second, Merard does not teach either the use of a rotational mechanism to ensure the rotation of the container during its treatment. As explained in the present invention, this rotational mechanism ensures the rotation of the container during its treatment which therefore ensures in a simple manner uniform plasma treatment of the inside surface of the container without needing additional careful measures (see page 9, lines 24-27 in the present invention).

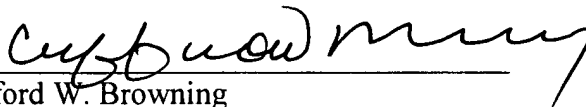
For the reasons stated above, it appears that one skilled in the art will not find in Merard the new added features but also will be discourage to amend Merard in such a way to introduce the missing features since it will go against the main teaching of Merard.

Claim 37 in view of Merard

If consideration is now given to added features of claim 37, it appears that Merard solely discloses electrodes located above the container and going downward when the container arrives to be treated. In addition to the warning in Merard's disclosure (see above) concerning the use of external electrodes, none of the cited documents show a lower electrode used as a rotational mechanism during the treatment of a container. Such solution presents several advantages among with cost and space reductions.

In view of the above, the Applicants believe that the amended set of claims fully traverses the prior art rejections of the Examiner, and the Applicants respectfully request reconsideration of the present application in light thereof, and in light of the foregoing remarks, and then issuance of a notice of allowance as to all pending claims.

Respectfully Submitted,

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